

Telephone  
(914) 277-5582

FAX  
(914) 277-3790

## ZONING BOARD OF APPEALS

TOWN HOUSE  
ANNEX  
337 ROUTE 202  
SOMERS, NY 10589

# Town of Somers

WESTCHESTER COUNTY, N.Y.

Victor Cannistra,  
Chairman  
Ronald Carpaneto  
Bill Harden  
Arnold Guyot  
Bruce Prince  
Umberto Santaroni  
Robert Scorrano



## AGENDA

December 15, 2015  
7:30 PM  
SOMERS TOWN HOUSE

### 1. UB SOMERS, INC.

#### **BZ28/15**

An application for an Area Variance for a sign which exceeds the maximum size, located in a Community Shopping District at **80 Route 6, Baldwin Place**. The property is shown on the Town Tax Map as **Section: 4.20, Block: 1, Lot: 11**. RE: Section Schedule 170-126.

### 2. DAVID MEGLAUGHLIN

#### **BZ29/15**

An application for a rear yard Area Variance, located in an R-10 Residential Zoning District at **19 Hemlock Drive, Lincolndale**. The property is shown on the Town Tax Map as **Section: 5.15, Block: 2, Lot: 49**. RE: Section Schedule 170:A.1 of the Zoning Schedule.

### 3. OTHER BUSINESS

Approval of November 17, 2015 Meeting Minutes.



ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N. Y.

TOWN HOUSE  
SOMERS, NEW YORK 10589

(914) 277-5582

IN THE MATTER OF THE APPEAL  
OF  
UB Somers, Inc.

B Z NUMBER BZ28/15  
DATE: 11/25/15

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF SOMERS, N. Y.:

1. Karin Knobel  
(Name of appellant)

whose post office address is 80 Route 6  
(Post office address)

through  
(Name of attorney or representative if any)

whose post office address is  
(Post office address)

does hereby appeal to the Zoning Board of Appeals at the Town of Somers.

2. Such appeal is taken from a ruling of E. Fern Citaulla  
(Name of officer)

Building Inspector, made on November 18, 2015  
(Office held)

which ruling was filed on November 18, 2015, and notice of such ruling was  
first received by appellant on; such ruling

(Give summary of ruling)

Larger than the size allowed  
as per the code for  
Physician One Urgent Care

3. The property which is the subject of the appeal is located at or known as

80 Route 6, and is shown on the  
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 4.20, Block: 1, Lot: 11

The interest of the appellant is that of Tenant  
(Owner, tenant, etc.)

4. The appeal is taken (on the ground that the ruling or decision was erroneous) to obtain  
variance, permit or special permit. (Strike out wording not applicable.)

(OVER)

5.

(Fill out (a) or (b) or both if applicable)

(a) The property which is the subject of the appeal is located at or known as.....

80 Route 6

(b) A variance, permit or special permit is sought because of practical difficulties or unnecessary hardship to the property as indicated below:

more than the code allows in terms of size for a sign for Physician one urgent care

and such may be granted pursuant to..... Chapter 170

(Refer to applicable Provisions of the Zoning Ordinance of the Town of Somers)

Both applicant and owner must sign if they are different persons.

I Hereby Dispose And Say That All The Above Statements And The Statements Contained In The Papers Submitted Herewith Are True.

SWORN TO ME BEFORE THIS 1-8<sup>th</sup> DAY November 20 15

Denise J. Schirmer

NOTARY SIGNATURE

DENISE SCHIRMER  
Notary Public State of New York  
No. 01SC6298242  
Qualified in Dutchess County  
Commission Expires March 10, 2018

OWNER SIGNATURE

Karin Knobel

APPLICANT SIGNATURE

NOTARY SIGNATURE

ARCHITECTURAL REVIEW BOARD

Telephone  
(914) 277-5582  
Fax  
(914) 277-3790

JOHN ALFONZETTI  
CHAIRMAN

**Town of Somers**

WESTCHESTER COUNTY, N.Y.



SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

DENISE SCHIRMER  
SECRETARY  
dschirmer@somersny.com

**MEMO TO:** Zoning Board of Appeals

**FROM:** Architectural Review Board

**RE:** Physician One Urgent Care - 80 Route 6

**DATE:** December 3, 2015

At our November 18, 2015 meeting, the Board met with Karin Knobel of Graphik Identities Signs regarding a sign proposal for Physician One Urgent Care, located at 80 Route 6. The sign will be placed on the parapet over the main entrance. The top line reads "Physician One" in medium blue and the letters are 22" high, and the second, "Urgent Care", in red and they are 18" high. Although the members had no objection to the sign, they could not approve it as submitted since it exceeds the 24" maximum height requirement. The applicant did make a decision to decrease the height to 20" and 16" inches respectively.



*because First Impressions Last*

ARCHITECT/DESIGN

CLIENT

Physicianone Urgent Care, LLC

APPROVED  APPROVED AS NOTED  
 DISAPPROVED - REVISE & RESUBMIT

CLIENT SIGNATURE DATE LANDLORD SIGNATURE DATE

NOTICE

The owner retains the inside copyright of these drawings. The design shall be subject to change without notice. All work shall be done in accordance with the specifications and standards of the applicable building codes and regulations. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

SALESPERSON

PROJ. MANAGER

Karin Knobel

JOB NAME / LOCATION

Physicianone Urgent Care Somers, NY

PROJECT

Baldwin Place Somers, NY

INSTALLATIONS

Wall Signage

DWG. NO. REF. DWG.

POUCSNY-39-W

DATE. SHEET

06.10.15 1 of 1

REVISION NO.4



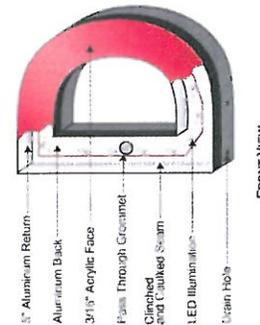
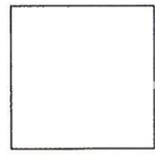
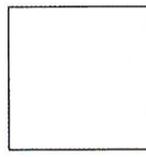
57 21' 4" 29" 16" 14' 8"

57 21' 4" CHANNEL LETTERS FACE AND WHITE HALO UT CHECKERBOARD ALUMINUM BEZELS 29x25 INTENSE BLUE JEWELITE TRIM 3 1/16" WHITE FACE WITH TRIMS #337 PROCESS BLUE VINYL APPLIED CLEAR POLY BACKS

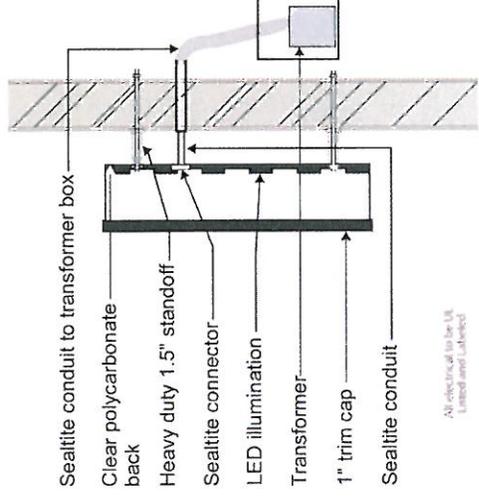
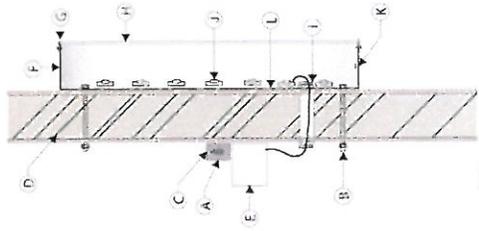
**PHYSICIANONE**  
**URGENT CARE**

51 3" ALUMINUM RETURN 3" ALUMINUM BACK 3 1/16" ACRYLIC FACE PAGES THROUGH CREAMET CLEARED AND TAPPED SEAM LED ILLUMINATION CLEAR HOLE

51 54" CHANNEL LETTERS FACE LIT WITH 3 1/16" WHITE FACES 29x25 INTENSE BLUE #337 ALUMINUM BEZELS 1" RED JEWELITE TRIM 3 1/16" TRIMS



A	listed disconnect switch
B	mounting varies
C	primary electrical source
D	Wall
E	12v power supply
F	5" return
G	1" trim cap
H	3/16" plex face
I	pass thru
J	led's
K	weep holes
L	.050 aluminum letter back



All electrical to be UL listed and labeled



ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N. Y.

TOWN HOUSE  
SOMERS, NEW YORK 10589

(914) 277-5582

IN THE MATTER OF THE APPEAL  
OF

David Meglaughlin

B Z NUMBER BZ 29/15  
DATE: 11/25/15

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF SOMERS, N. Y.:

1. David Meglaughlin  
(Name of appellant)

whose post office address is PO Box 354, Lincolndale, NY 10540  
(Post office address)

through  
(Name of attorney or representative if any)

whose post office address is  
(Post office address)

does hereby appeal to the Zoning Board of Appeals at the Town of Somers.

2. Such appeal is taken from a ruling of Efrem Citarella  
(Name of officer)

Building Inspector made on October 29, 2015  
(Office held)

which ruling was filed on ..... and notice of such ruling was  
first received by appellant on .....; such ruling

(Give summary of ruling)

7' rear yard Area Variance for a  
deck

3. The property which is the subject of the appeal is located at or known as .....

19 Hemlock Drive ..... and is shown on the  
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 5.15 ..... Block: 2 ..... Lot: 49

The interest of the appellant is that of owner  
(Owner, tenant, etc.)

4. The appeal is taken (on the ground that the ruling or decision was erroneous) to obtain  
variance, permit or special permit. (Strike out wording not applicable.)

(OVER)

5.

(Fill out (a) or (b) or both if applicable)

(a) The property which is the subject of the appeal is located at or known as.....

19 Hemlock Drive

(b) A variance, permit or special permit is sought because of practical difficulties or unnecessary hardship to the property as indicated below:

rear yard area variance for a deck

and such may be granted pursuant to 170: A.1 - of the Zoning Schedule

(Refer to applicable Provisions of the Zoning Ordinance of the Town of Somers)

Both applicant and owner must sign if they are different persons.

I Hereby Dispose And Say That All The Above Statements And The Statements Contained In The Papers Submitted Herewith Are True.

SWORN TO ME BEFORE THIS 13th DAY November 20 15

Denise E. Schirmer
NOTARY SIGNATURE

[Signature]
OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 2018

NOTARY SIGNATURE

APPLICANT SIGNATURE



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Victor Cannistra,  
Chairman  
Ronald Carpaneto  
Arnold Guyot  
Bill Harden  
Bruce Prince  
Umberto Santaroni  
Robert Scorrano



**Meeting Minutes**  
November 17, 2015

The members present were: Chairman Cannistra, Mr. Guyot, Mr. Harden, Mr. Prince, Mr. Santaroni and Mr. Scorrano. Mr. Carpaneto was absent.

Building Inspector Efreem Citarella, the applicants and interested residents were also present.

Chairman Cannistra opened the meeting at 7:35 p.m. with the Pledge of Allegiance.

**APPLICANT:**

**ROBERT AND SALLY KRAUSS – BZ20/15 – 17.10-1-14 (CARRYOVER)**

An application for an Area Variance for lot coverage, located in an R-40 Residential Zoning District at **233 Route 202, Somers**. The property is shown on the Town Tax Map as **Section: 17.10, Block: 1, Lot: 14**. RE: Section Schedule 170-40A.

At the September 15, 2015 meeting, Robert and Sally Krauss addressed the Board. They are requesting an Area Variance for lot coverage so they can construct an attached four car garage. Since the required numbers were not calculated out on the site plan, it was difficult for the Board to move forward on the application. It was adjourned until the October 20 meeting, at which time, Mr. Krauss addressed the Board. His architect did supply the necessary information. Currently the lot coverage is 14,761 square feet (18.45%) and the proposed is an additional 1,760 square feet (20.65%), representing a 2.2% variance. The overall concern was that although the current amount is grandfathered in, granting an increase would make that percentage very large. All agreed to seek legal counsel and adjourn this application to this evening. Legal counsel was consulted. He felt that certainly a factor to be considered is that the property has already been grandfathered in for three times the lot coverage limit. Additionally he agrees with the point that if the property was subdivided, the garage

would go along with the cottage, resulting in the percentage difference not being that great. Ultimately the decision is up to the members of the Board.

Mr. Santaroni made a motion for a Type II Action. Mr. Prince seconded the motion.

A vote was then taken by the Board as follows...

**POLL OF THE BOARD**

Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

Mr. Guyot made a motion to grant the Area Variance for a 2.2% increase in lot coverage. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

**POLL OF THE BOARD**

Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Abstained
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

The Area Variance was granted.

**ROSELLEN GONZALES – BZ23/15 – 16.09-2-23**

An application for a side yard Area Variance, located in an R-40 Residential Zoning District at **4 Walker Lane, Yorktown Heights**. The property is shown on the Town Tax Map as **Section: 16.09, Block: 2, Lot: 23**. RE: Section Schedule 170:A.1 of the Zoning Schedule.

Ms. Gonzales addressed the Board. In 2010, she had a shed built abutting her house for two horses. The horses have since been removed as they are not permitted as per the Code of the Town of Somers. A Building Permit was never secured for the shed. The applicant is seeking a 2.8' side yard variance, but there was a question as to whether or not the property was in an R-40 or R-10 Zone as the zoning map listed the road incorrectly. If it is in fact in an R-40 zone, the variance would be for 17.8' as the setback is 30', not 15'. The application was adjourned until this evening. The property is in fact in an R-40 zone, therefore the variance will be for 17.8'. Two neighbors

submitted letters in support of granting the variance via email and another sent an email with concerns over the fact that the shed might be used again to house horses. Ms. Gonzales reiterated that the shed would not be used for horses, but for storage as her existing garage is in disrepair. In addition all pre-existing fences have been removed.

Mr. Santaroni made a motion for a Type II Action. Mr. Harden seconded the motion.

A vote was then taken by the Board as follows...

**POLL OF THE BOARD**

Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

Mr. Guyot made a motion to grant the side yard Area Variance of 17.8' with the understanding that the shed will not be used for livestock of any kind. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

**POLL OF THE BOARD**

Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

The Area Variance was granted.

**OTHER BUSINESS:**

A motion was made by the Chairman to approve the minutes of the September 15, 2015 and October 20, 2015 meetings. All were in favor.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on December 15, 2015 at 7:30 p.m. There being no further business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Denise Schirmer, Secretary  
Zoning Board of Appeals

cc: Town Board  
Town Clerk  
Planning and Engineering  
Planning Board

DRAFT